

ESTTA Tracking number: **ESTTA1184950**

Filing date: **01/17/2022**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Petition for Cancellation

Notice is hereby given that the following party has filed a petition to cancel the registration indicated below.

Petitioner information

Name	Kimm Gardener		
Entity	Individual	Citizenship	UNITED STATES
Address	2651 TULANE AVENUE LONG BEACH, CA 90815 UNITED STATES		
Correspondence information	KIMM GARDENER 2651 TULANE AVENUE LONG BEACH, CA 90815 UNITED STATES Primary email: kgardener@kgb-worldwide.com Secondary email(s): mdanner@sheppardmullin.com (818) 402-1093		

Registration subject to cancellation

Registration no.	5124571	Registration date	01/17/2017
Register	Principal		
Registrant	Russell Road Food and Beverage, LLC 3550 WEST QUAIL AVENUE LAS VEGAS, NV 89118 UNITED STATES		

Goods/services subject to cancellation


Class 041. First Use: 2016/11/28 First Use In Commerce: 2016/11/28
All goods and services in the class are subject to cancellation, namely: Entertainment services, namely, live performances by dancers; night clubs


Grounds for cancellation

Priority and likelihood of confusion	Trademark Act Sections 14(1) and 2(d)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols	Trademark Act Sections 14(3) and 2(a)
Deceptiveness	Trademark Act Sections 14(3) and 2(a)

Marks cited by petitioner as basis for cancellation

U.S. application no.	90866264	Application date	08/05/2021
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Register	Principal		
Registration date	NONE	Foreign priority date	NONE
Word mark	CH3		
Design mark			
Description of mark	NONE		
Goods/services	Class 009. First use: First Use: 1981/05/00 First Use In Commerce: 1981/05/00 Musical sound recordings; Musical videorecordings; Compact discs featuring music; Digital music downloadable from the Internet; Phonograph records featuring music		

U.S. application no.	90866267	Application date	08/05/2021
Register	Principal		
Registration date	NONE	Foreign priority date	NONE
Word mark	CH3		
Design mark			
Description of mark	NONE		
Goods/services	Class 041. First use: First Use: 1981/05/00 First Use In Commerce: 1981/05/00 Entertainment services, namely, providing non-downloadable prerecorded music via a website; Live performances by a musical group; On-line journals, namely, blogs featuring articles and columns about music, entertainment, travel, current events, and topics of general interest; Providing information in the field of music and entertainment via a website; Providing online non-downloadable videos in the field of music		

Attachments	90866264#TMSN.png(bytes) 90866267#TMSN.png(bytes) Petition to Cancel reg. no. 5,124,571 for the mark CH3.pdf(200464 bytes) CH3 EX. A - Wikipedia.pdf(697463 bytes)
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	CH3 Ex. B - Discography.pdf(1693406 bytes) CH3 EX. C - Social + streaming.pdf(1920134 bytes) CH3 EX. D - TESS-TSDR.pdf(2912747 bytes)
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Signature	/Kimm Gardener/
Name	Kimm Gardener
Date	01/17/2022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

*In re Matter of Reg. No. 5,124,571 for the
trademark CH3 in Class 41*

Kimm Gardener and Michael Magrann,

Petitioners,

v.

Russell Road Food and Beverage, LLC,

Registrant.

Cancellation No. _____

PETITION FOR CANCELLATION

Commissioner for Trademarks
ATTN: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Dear Commissioner:

Petitioners Kimm Gardener, an individual and United States citizen having his principal address at 2651 Tulane Avenue, Long Beach, CA 90815, and Michael Magrann, an individual and United States citizen having his principal address at 306 15th Street, Seal Beach, California 90740 (collectively “Petitioners”), believe that they are and will be damaged by the trademark shown in Reg. No. 5,124,571 (the “Registration”) of the mark CH3 (the “Registrant’s Mark”), and hereby petition to cancel such Registration on the following grounds:

**FACTUAL BACKGROUND REGARDING
PETITIONER’S CH3 MARK**

1. Channel 3, also known as CH3, is the seminal Southern California punk rock band formed by Petitioners Kimm Gardener and Michael Magrann in the early 1980s in Cerritos, California. Channel 3 has, in the 40 years since their formation, gained status as one of the most

popular and iconic punk rock bands in Southern California, the United States, and abroad. See **Exhibit A**, a printout of the Wikipedia page describing Channel 3.

2. From 1981 to the present, Channel 3 has released a total of 23 studio albums, EPs, singles, and compilation albums, a feature-length documentary film, and has appeared on more than 50 “Various Artists” releases. See **Exhibit B**, printouts of Channel 3’s discographies from www.discogs.com and www.poshboy.com. Channel 3’s music has also been featured in television shows such as Showtime’s *White Famous* and the popular Netflix series *Stranger Things*.

3. Since forming in the early 1980s, Channel 3 has performed more than 1,000 live shows, including established, widely-attended annual music festivals such as Vans Warped Tour, Riot Fest, Punk Rock Bowling & Music Festival, and Rebellion Festival, and have shared a bill with such renowned acts as Cheap Trick, Devo, Morrissey, Ramones, X, Bad Religion, Social Distortion, Rancid, and many others at stadiums, concert halls, amphitheaters, clubs, and similar venues.

4. Petitioners maintain social media accounts on Facebook, YouTube, and Twitter, a blog at <https://ch3blog.com/>, and Channel 3’s music is widely disseminated and available for streaming and download across numerous platforms, including Amazon, Apple Music, Spotify, Pandora, and Soundcloud. See **Exhibit C**, sample pages from Petitioners’ social media accounts and blog, and the artist pages for Petitioners’ Channel 3 band on the aforementioned streaming and download websites.

5. Petitioners own the common law trademarks associated with the trademark CH3. On August 5, 2021, Petitioners filed use-based applications to register CH3 for “Musical sound recordings; Musical video recordings; Compact discs featuring music; Digital music

downloadable from the Internet; Phonograph records featuring music” in Class 9, which was assigned Serial No. 90/866,264, and for “Entertainment services, namely, providing non-downloadable prerecorded music via a website; Live performances by a musical group; On-line journals, namely, blogs featuring articles and columns about music, entertainment, travel, current events, and topics of general interest; Providing information in the field of music and entertainment via a website; Providing online non-downloadable videos in the field of music” in Class 41, which was signed Serial No. 90/866,267 (the “CH3 Mark”). See **Exhibit D**, printouts of the TESS and TSDR pages for Petitioners’ applications to register the CH3 Mark. Petitioners also own common law rights in the trademark CH3 for merchandise associated with their Channel 3 band including t-shirts, sweatshirts, tote bags, ornamental pins, patches for clothing, stickers, and other goods.

6. Petitioners first used the CH3 Mark at least as early as May 1981, more than three decades prior to Registrant Russell Road Food and Beverage, LLC’s (“Registrant”) first use of, or application to register, the mark CH3.

7. Because of Channel 3’s success and acclaim, fans in the U.S. and abroad have come to associate Petitioners’ CH3 trademark with Petitioners and their goods and services. As a result, the CH3 Mark has developed substantial goodwill and secondary meaning, and is famous or at least well-known.

**FACTUAL BACKGROUND REGARDING REGISTRANT
AND THE REGISTRATION OF CH3**

8. On May 8, 2013, Registrant, a Nevada limited liability company having an address of 3550 West Quail Avenue, Las Vegas, Nevada, 89118, applied to register the mark CH3 for “entertainment services, namely, live performances by dancers; night clubs” in Class 41

on an intent-to-use basis. The application was assigned Serial No. 85/926,970 (the “Application”).

9. On November 30, 2016, Registrant filed a Statement of Use alleging use of the mark anywhere and in commerce of November 28, 2016, and on January 17, 2017, the Application matured to, and the Office issued, the Registration.

**FIRST BASIS FOR CANCELLATION
(Likelihood of Confusion)**

10. Petitioners incorporate by reference the allegations contained in Paragraphs 1 to 9 herein.

11. Petitioners’ CH3 Mark was used prior to the mark shown in the Registration. Petitioners’ use of the CH3 Mark pre-dates Registrant’s filing date of the Application and any use of Registrant’s Mark by more than three decades. Petitioners have priority over Registrant.

12. The continued registration of Registrant’s Mark is likely to cause confusion, mistake, or deception as to the source or origin of, or affiliation, connection, or association with, Petitioners’ CH3 Mark and their goods and services.

**SECOND BASIS FOR CANCELLATION
(False Suggestion of a Connection)**

13. Petitioners incorporate the allegations contained in Paragraphs 1 to 12 herein.

14. The name CH3 is associated with Petitioners as a result of the fame of their musical group Channel 3, commonly known as CH3.

15. Registrant’s Mark is identical to Petitioners’ CH3 Mark. The name CH3 is associated with Petitioners, and is recognized as such in that it uniquely and unmistakably points to Petitioners and their CH3 musical group. Petitioners are not connected with the services offered by Registrant under Registrant’s Mark. The fame and reputation of Petitioners is of such

a nature that a connection with Petitioners and/or their Channel 3 musical group is presumed when Registrant's Mark is used for or with Registrant's services.

16. The mark shown in the Registration is associated with the Petitioners and/or Channel 3, and thus falsely suggests a connection with Petitioners and/or Channel 3.

DAMAGE CAUSED TO PETITIONERS

17. Petitioners will be damaged by the continued registration of Registrant's Mark in that the Registration gives Registrant a *prima facie* exclusive right to the use of CH3, despite the likelihood of confusion, mistake, or deception, the likelihood of association, connection, or affiliation with Petitioners and Petitioners' CH3 trademark, or as to the origin, sponsorship or approval by Petitioners of Registrant's services or commercial activities, and the false suggestion of a connection, as described above.

WHEREFORE, Petitioners pray that Reg. No. 5,124,571, issued on January 17, 2017, be canceled.

The required fee of \$600 has been submitted with this Petition to Cancel.

Respectfully submitted,

Dated: January 17, 2022

/Kimm Gardener/
Kimm Gardener
2651 Tulane Avenue
Long Beach, California 90815
Owner/Petitioner

Dated: January 17, 2022

/Michael Magrann/
Michael Magrann
306 15th Street
Seal Beach, California 90740
Owner/Petitioner

CERTIFICATE OF E-FILING

I hereby certify that this **PETITION FOR CANCELLATION** is being transmitted electronically to Commissioner of Trademarks, Attn: Trademark Trial and Appeal Board, through ESTTA pursuant to 37 C.F.R. §2.195(a), on this 17th day of January, 2022.

/Monica Danner/

Monica Danner

SMRH:4854-7778-5610.1

EXHIBIT A

WIKIPEDIA

Channel 3 (band)

Channel 3, also known as **CH3**, is an American punk rock band from Cerritos, California.^[1]

Contents

History

Discography

LPs

Singles & EP

Compilations

Members

References

External links

History

Channel 3 was formed in 1980 by Mike Magrann (vocals, guitar), Kimm Gardner (guitar), Larry Kelly (bass), and Mike Burton (drums), in the suburban community of Cerritos, California. Their first release was a self-titled EP on California label Posh Boy Records in 1981. "Manzanar", a track from that EP, was played heavily by UK disc jockey John Peel.^[2]

In 1982, Jack DeBaun become their new drummer^[2] and their release *Fear of Life* was retitled *I've Got A Gun* in the UK with some differences in the track-listing.^[3]

Their next release, *After The Lights Go Out*, failed to recapture the interest that accompanied their first UK single. Jay Lansford, a former member of The Simpletones, Stepmothers, and The Wigglers who produced CH3's two Posh Boy albums, joined the band in 1984. Their 1985 album for Enigma Records (with Dusty Watson on drums), *Last Time I Drank...* revealed that the band had navigated the transition to a more straightforward rock format. Lansford and Magrann co-wrote all the original songs on the album.^[2]

Discography

^[1]

LPs

- Fear of Life* (1982, Posh Boy Records)
- After the Lights Go Out* (1983, Posh Boy Records)
- Last Time I Drank...* (1985, Enigma Records)

Channel 3	
Also known as	CH3
Origin	Cerritos, California, USA
Genres	Punk rock, hardcore punk, melodic hardcore
Years active	1980–present
Labels	Posh Boy, TKO Records
Website	[1] (http://www.chthree.com)
Members	Mike Magrann Kimm Gardener Anthony Thompson Nick Manning
Past members	Larry Kelly Mike Burton Jay Lansford Jack DeBaun Mike Dimkich Dusty Watson Alf Silva

- *Rejected* (1989, Lone Wolf Records, Fringe Product Records)
- *CH3* (2002, Dr. Strange Records)
- *One More For All My True Friends* (2008, TKO Records)
- *Put 'Em Up* (2017)

[4]

Singles & EP

- *CH 3* (1981, 12", Posh Boy)
- *I've Got A Gun* (1982, 7", No Future Records)
- *I'll Take My Chances / How Come?* (1983, 7", Posh Boy Records)
- *Airborne* (1984, 12", Enigma Records)
- *Indian Summer / Separate Peace* (1991, 7", Posh Boy Records)
- *One More For All My True Friends* (2007, 7", Suburbia Records)
- *Land of the Free* (2012, 7", Hostage Records)
- *History* (2014, 7", Hostage Records)

[5]

Compilations

- *I've Got a Gun* (1982, No Future Records)
- *The Skinhead Years* (1989, Posh Boy Records)
- *To Whom It May Concern: The 1981 Demos* (2009, TKO Records)
- *A Home for the Homeless* (2015, Wanda Records)

[6]

Members

- Mike Magrann (vocals, guitar)
- Kimm Gardener (guitar)
- Larry Kelly (bass)
- Mike Burton (drums)
- Jack Debaun (drums)
- Jay Lansford (bass, guitar)
- Mike Dimkich (bass)
- Mat Young (drums)
- Jeff Kaminsky (drums)
- Dusty Watson (drums)
- Ron Wood (drums)
- Larry Lerma (bass)
- Anthony Thompson (bass)
- Mitch McNally (bass)
- Alf Silva (drums)
- Matthew Woodruff (drums)
- Nick Manning (drums)

[1][2]

References

- "Discogs - Database and Marketplace for Music on Vinyl, CD, Cassette a..." (<https://archive.today/20150312112221/http://www.discogs.com/Alice-Donut-Ten-Glorious-Animals>). 12 March 2015. Archived from the original (<http://www.discogs.com/Alice-Donut-Ten-Glorious-Animals>) on 12 March 2015. Retrieved 18 January 2018.
- "Channel 3 - News, Music Performances and Show Video Clips - MTV" (<http://www.mtv.com/artists/channel-3/>). *www.mtv.com*. Retrieved 18 January 2018.
- "Channel 3 (2) - I've Got A Gun" (<http://www.discogs.com/Channel-3-Ive-Got-A-Gun/release/385864>). *Discogs*. Retrieved 18 January 2018.
- "Channel 3 (2)" (<http://www.discogs.com/artist/255053-Channel-3-2?type=Releases&subtype=Albums>). *Discogs*. Retrieved 18 January 2018.
- "Channel 3 (2)" (<http://www.discogs.com/artist/255053-Channel-3-2?type=Releases&subtype=Singles-EPs>). *Discogs*. Retrieved 18 January 2018.
- "Channel 3 (2)" (<http://www.discogs.com/artist/255053-Channel-3-2?type=Releases&subtype=Compilations>). *Discogs*. Retrieved 18 January 2018.

External links

- Article by Alex Ogg (https://web.archive.org/web/20090729094841/http://www.alex sbar.com/feature/2007/11/fri_dec_14_2007.php)
- Interview with Mike Magrann (http://www.trakmarx.com/2007_02/14_channel3.html)
- Scanner zine interview with Kimm Gardener** (<http://www.scannerzine.com/channel3interview.htm>)
- Razorcake interview with CH3 (<https://web.archive.org/web/20090729073336/http://www.razorcake.org/site/modules.php?name=News&file=article&sid=201>)
- Official Website (<https://web.archive.org/web/20181022205423/http://chthree.com/>)

Retrieved from "[https://en.wikipedia.org/w/index.php?title=Channel_3_\(band\)&oldid=1058684578](https://en.wikipedia.org/w/index.php?title=Channel_3_(band)&oldid=1058684578)"

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EXHIBIT B



PBS 1018: CHANNEL 3 - Self-Titled (EP)

Channel 3 were a most unlikely band : they did not fit neatly into either the Long Beach hardcore scene nor that of Huntington Beach. Their city, Cerritos, at the junction of 2 major freeways, the scene in 1987 of a horrific mid air collision between an Aeromexico DC-9 and a small private plane that devastated a neighborhood with massive falling debris. The main guys, Kimm Gardener and Mike Magrann were both "A" students who went on to take degrees at nearby Long Beach State University. Posh Boy signed them as replacements for the departed (for Frontier records) T.S.O.L.; in those heady days of early 1981, it was as though there was gold just lying in the street waiting to be picked up. Indeed, CH 3 were signed on the basis of that most improbable medium, the demo cassette, handed to me by Cathy Conway who had obtained it from one of the band's female admirers. The re-recorded demos formed the basis for their first 12" e.p. which followed closely on the heels of the T.S.O.L. 12" with similar high contrast black and white artwork by Kevin J. Walker. So where did Channel 3 fit in? In England, of all places; 1982 saw the release there of the I Got A Gun 7" on the Oi dominated No Future Label. The single hit the indie charts running and Channel 3 had made their mark in hardcore history.



PBS 128: CHANNEL 3 - Fear Of Life (LP)

This along with Living In Darkness were probably the 2 recordings most influenced by Robbie Fields' production values. Kimm and Mike were still willing to listen at this stage of their relationship with Posh Boy and one of the results of their going along with the production team was the L.A. radio hit You Make Me Feel Cheap with a female vocal part co-written in the studio by Robbie Fields himself. That the lady singing was d.j. Rodney Bingenheimer's then girlfriend, Maria Montoya, did not hurt the record's chances for success. This record was not only licensed to No Future for the U.K., as well, it was one of the first records to appear on the Roadrunner label out of Holland.



PBS 8146: CHANNEL 3 - After The Lights Go Out (LP)

PBS 17: CHANNEL 3 - *I'll Take My Chances / How Come ? (45)(IP)*

This was the last of the "early" singles, released in 1982. It seems strange now, but the singles market all but died in the mid-80's. We had been selling the records to distributors for one dollar each and when Posh Boy changed distributors in 1985, moving to an exclusive deal with Sounds Good/Chameleon Music Group, we were told to dump all our singles! Sad to say, a lot of the early singles and extra 7" picture sleeves were destroyed at that time.

PBS 38: CHANNEL 3 - *Indian Summer (45)*

After the release of this record Posh Boy took another break from releasing singles. Posh Boy had played its part in saturating the market with releases. In 1989, anything American was guaranteed at least 1000 sales in Germany. By 1993, good releases were lucky to crack the 100 unit level.

PBCD 88156-2: CHANNEL 3 - *The Skinhead Years. (CD)(IP)*

Contains all 26 songs ever released on Posh Boy, this collection details the life and times of early hardcore leaders CH 3.



More Images

Channel 3 (2)

Profile: Punk rock band from Cerritos CA, USA, established 1980.

Sites: [chthree.com](#), [Facebook](#)

Members: [Alf Silva](#), [Anthony Thompson \(4\)](#), [Jack Debaun](#), [Jay Lansford](#), [Jens Gallmeyer](#), [Kimm Gardener](#), [Larry Kelly \(3\)](#), [Matt Young \(2\)](#), [Mike Burton](#), [Mike Dinkich](#), [Mike Magrann](#)

Variations: [Viewing All](#) | [Channel 3 \(2\)](#)
[CH3](#), [CH 3](#), [Channel Three](#), [CH.3](#)

Artist [a255053]

[Edit Artist](#)

[Share](#)

Marketplace [1,153 For Sale](#)

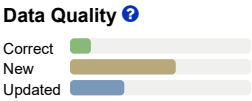
Vinyl and CD

Discography

Search

- Releases23
- Albums9
- Singles & EPs9
- Compilations5
- Appearances59
- Albums5
- Singles & EPs2
- Compilations52
- Credits9
- Writing & Arrangement7
- Production2

+ Add Release



201 submissions pending

123 of 23













SortYear, 0-9Show25

Albums				
	Fear Of Life ◀ 11 versions	Posh Boy	1982	
	After The Lights Go Out ◀ 10 versions	Posh Boy	1983	
	Last Time I Drank... ◀ 3 versions	Enigma (4)	1985	
	Rejected (LP, Album)	Lone Wolf Records, Fringe Product	LWR006, FPL3087	1989
	...How Do You Open The Damned Thing? Live 94 ◀ 6 versions	Lost And Found Records	1994	
	CH3 ◀ 4 versions	Dr. Strange Records	2002	
	One More For All My True Friends (DVD-V + CD)	TKO Records	TKO-TV007	2008
	To Whom It May Concern: The 1981 Demos (LP, Pur + CD)	TKO Records	TKO ROUND 181	2009

	Put 'Em Up ◀ 7 versions	Not On Label	2017	
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Singles & EPs

	CH3 ◀ 4 versions	Posh Boy	1981	
	... (EP)	Posh Boy	1982	

	I'll Take My Chances / How Come? (7\", Single)	Posh Boy	PBS 17	1983
	Airborne (12\", EP)	Enigma (4)	E-1101	1984
	Indian Summer / Separate Peace (7\", Single)	Posh Boy	PBS 38	1991
	One More For All My True Friends (7\", Ltd, Num, Pic)	Suburbia Records	SUBREC 002	2007
	Land Of The Free ◀ 4 versions	Hostage Records		2012
	History ◀ 2 versions	Hostage Records		2014
	The Bellwether ◀ 6 versions	Hostage Records		2019
Compilations				
	I've Got A Gun ◀ 3 versions	No Future Records		1981
	The Skinhead Years ◀ 4 versions	Posh Boy		1989
	I've Got A Gun / After The Lights Go Out ◀ 5 versions	Anagram Records		1991
	CH3 (LP, Comp)	Radiation Reissues	RRS21	2013
	A Home For The Homeless ◀ 5 versions	Wanda Records		2015

Reviews


Add Review


ListsAdd to List

- Bands In My Collection - C by TragicVision504
- Bands I saw back in the day. by jimthemailman77
- The Encyclopedia Of Punk by crimsonmetal74
- 1000 Bands I've Seen Live by spacemanfromthepast
- Bands I've Seen Live by SWEETXPIE
- Artists in My LP Collection by sillypenta
- Punk - Hardcore by Veerlev

View More Lists


Videos (36)Edit






2:15

[CH3 Catholic Boy](#)



5:37

[Channel 3 - I've Got a Gun EP \(1982\)](#)



2:00

[CHANNEL 3 - I'VE GOT A GUN 7](#)

Discogs

Search artists, albums and mor

ExploreMarketplaceCommunity

Log InRegister



More Images

Profile:

Sites:

Members:

Variations:

Punk rock band from Cerritos CA, USA, established 1980.

[chthree.com](#), [Facebook](#)

[Alf Silva](#), [Anthony Thompson \(4\)](#), [Jack Debaun](#), [Jay Lansford](#), [Jens Gallmeyer](#), [Kimm Gardener](#), [Larry Kelly \(3\)](#), [Matt Young \(2\)](#), [Mike Burton](#), [Mike Dinkich](#), [Mike Magrann](#)

[All](#) | [Channel 3 \(2\)](#)

[CH3](#), [CH 3](#), [Channel Three](#), [CH.3](#)

Artist

Edit Artist

Share

Marketplace

Vinyl and CD

1,153 For Sale

Discography

Search

159 of 59

SortYear, 0-9

Show100

Icons

Releases

Albums

Singles & EPs

Compilations

Appearances

Albums

Singles & EPs

Compilations

Credits

Writing & Arrangement

Production

Add Release

Data Quality

201 submissions pending

Albums

Manzanar (as CH 3) and 1 more...
Various - The Future Looks Bright

Posh Boy, SST Records

1981

Waiting In The Wings (as CH 3) and 1 more...
Various - The Future Looks Brighter

Posh Boy

1987

Don't Be Mistaken (as Channel Three)
Various - Taking Out A Little Agression - A Tribute To Agression

Dr. Strange Records

2007

Modern Machine
Various - Highway 39 Revisited: A Tribute To The Crowd

Swamitone Records

2015

Better Than This
Various - Unusual Suspects

Hostage Records

2021

Singles & EPs

Cars drive by
Various - 89 FM Internacional (12")

Young

304.7038

1986

What About Me
Various - Enjoy The Gift Of Life (7", Promo)

Gift Of Life

Gift 015

1990

Compilations

You Lie (as CH.3)
Various - Rodney On The ROQ - Volume 2

Posh Boy

1981

Separate Peace (as CH 3)
Various - Rodney On The ROQ Vol. III

Posh Boy

1982

Mannequin and 1 more...
Various - Where Is J.R. ?

Schrott

1982

I've Got A Gun
Various - Punk And Disorderly - Further Charges

Anagram Records







1982

Catholic Boy
Various - American Youth Band








Invasion Records (6)

1982

https://www.discogs.com/artist/255053-Channel-3-2?type=Appearances&filter_anv=0

	Various - American Youth Report ◀ 10 versions			
	You Make Me Feel Cheap Various - Posh Hits Vol. 1 ◀ 7 versions	Posh Boy		1983
	Mannequin Various - Eastern Front (LP, Comp)	Enigma (4), Eastern Front Records (2)	E1015	1983
	You Lie Various - Blood On The ROQ! (LP, Comp)	Quiet	QLP 3	1983
	Indian Summer Various - Something To Believe In ◀ 7 versions	Better Youth Organization		1984
	I've Got A Gun Various - There Is No Future... ◀ 3 versions	Cherry Red, Music-Box		1984
	I've Got A Gun Various - Viva La Revolution! ◀ 2 versions	Cambra		1985
	True West Various - The Enigma Variations ◀ 5 versions	Enigma (4)		1985
	I Got A Gun (as CH3) Various - Punk And Disorderly ◀ 3 versions	Posh Boy		1987
	You Make Me Feel Cheap (as CH 3) Various - The Best Of Rodney On The ROQ ◀ 5 versions	Posh Boy		1989
	Indian Summer Various - Someone's Gonna Get Their Head To Believe In Something (CD, Comp)	Better Youth Organization, Better Youth Organization	BYO 026CD, BYO026CD	1992
	I've Got A Gun Various - Burning Ambitions - A History Of Punk Vol. 2 (CD, Comp)	Anagram Records	TFCK-88630	1993
	I've Got A Gun Various - No Future: The Singles Collection ◀ 2 versions	Anagram Records		1993
	Fear Of Life (as CH3) Various - Faster & Louder - Hardcore Punk, Vol. 2 (CD, Comp)	Rhino Records (2)	R2 71225	1993
	I've Got A Gun and 1 more... Various - The Posh Boy Story (More Or Less) (CD, Comp)	Damaged Goods	DAMGOOD CD 11	1993
	I've Got A Gun Various - Indie Punk Classics (CD, Comp)	Emporio	EMPRCD550	1994
	I'll Take May Chance and 1 more... Various - Doll's LA Hard Punk Case - Posh Boy Single Collection (CD, Comp)	Jimco Records	JICK-89526	1994
	You Make Me Feel Cheap Various - Ox-Compilation #17 - No Way Out (CD, Comp, Promo)	Ox Fanzine	OXCD 02	1994
	I've Got A Gun Various - Old School Punk ◀ 2 versions	Neurotic Records		1995
	Wetspots Various - Golden Shower Of 72 Hits (2xCD, Comp)	Lost And Found Records	LF 200/CD	1995
	Mannequin and 1 more... Various - Hardcore - Punk Anderson's Favourites (2xCD, Comp, Unofficial)	Starving Missile	SMR 057	1995

	I've Got A Gun Various - No Future: The Singles Collection (2xLP, Comp, Gat) Captain Oi!	AHOY DLP 508	1996
	Manzanar And Mannequin Various - No Future: The Punk Singles Collection Vol. 2 ◀ 2 versions Captain Oi!		1995
	I Didn't Know Various - Brainkiller (U.S. Punk '77-'83) (Cass, Comp, Unofficial) Ripper Records (3)	none	1996
	I've Got A Gun Various - The World Of Punk ◀ 2 versions ZYG Music		1997
	Seperate Peace Various - Oi! The Party - Oi & Punkrock Classics Vol. V (LP, Comp, Unofficial) Street Kid's Records	SKR 2609	1997
	Wetspot Various - Nasty News (Cass, Comp) Not On Label	none	1997
	I've Got A Gun Various - I Spit On Your Gravy (3xCD, Comp + Box) Dressed To Kill	DTK BOX 191	1999
	I've Got A Gun and 1 more... Various - The History Of No Future (2xCD, Comp) Anagram Records	CDPUNK 111	1999
	I've Got A Gun Various - The Entire History Of Punk (20xCD, Comp + Box) Dressed To Kill	POGOCD2001	2001
	I've Got A Gun Various - Punk - Voice Of A Generation ◀ 2 versions Documents		2002
	I've Got A Gun Various - Punk Indie Chart Hits Vol. 1 (CD, Comp) Cherry Red	2 20883	2002
	I've Got A Gun Various - The Very Best Of Punk And Disorderly (2xCD, Album, Comp) Anagram Records	CD PUNK 129	2002
	Gamblin' Time Various - Staf Dieciseis (CD, Comp, Promo) Staf	STAFCD5.0	2002
	The Whine Of Youth Various - Radio Disaster Volume 4 (CD, Comp) Basement Records (5)	none	2003
	Just On You (as CH3) Various - Redefining Scenes 2 - Sampler 2004 (CD, Comp, Smplr, Car) Finger Records (2)	none	2004
	Best Of Intentions (as CH3) Various - Welcome To: The Anarchy Library Vol. 1 (CD, Album, Comp) Gale Force Records	GF-014	2006
	Scratches & Needles (as CH3) Various - Let Them Know (The Story Of Youth Brigade And BYO Records) ◀ 3 versions Better Youth Organization		2009
	Blue Christmas (as CH3) Various - Cashing In On Christmas Volume 2 (CD, Comp) Black Hole Records (2)	HO-025	2010
	Another Day Various - What Have We Wrought? A Mike Atta Benefit Compilation ◀ 2 versions Burger Records, Gasatanka Records, Munster Records		2013
	Modern Machine Various - Highway 39: Revisited - A Tribute To The Unbuckled Records,	KOS-017,	2016

	Crowd (LP, Comp, Ltd)	Swamitone Records	none	
	Mannequin and 2 more... Various - No Future: Complete Singles Collection (The Sound Of UK 82) (4xCD, Comp + Box, Comp)	Captain Oi!	AHOYCW377	2020
	I've Got A Gun Various - Punk And Disorderly The Albums (The Sound Of UK82) (Comp, RM + CD, Comp, RE + CD, Comp, RE + CD, Comp,)	Captain Oi!	AHOYT381	2021
	Manzanar Various - Leather, Bristles, Studs And... Broken Noses (Cass, Comp)	Crucial Scum Music	CSB-002	Unknown
	Mannequin and 1 more... Various - Dr. Strange Punk Compilation No. 1 (Cass, Comp)	Dr. Strange Records	DR.1	Unknown
	I've Got A Gun Various - Grime Of The Century (Box + 6xLP, Comp)	Anagram Records	Kilo 1	Unknown
	Wetspots Various - Hardcore (Cass, Comp, Unofficial)	Not On Label	none	Unknown
	Wetspots Various - Hardcore - A State Of Mind (4xCD, Comp)	Lost And Found Records	LF 313/CD	Unknown

1

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
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2:15

CH3 Catholic Boy



5:37

Channel 3 - I've Got a Gun EP (1982)



2:00

CHANNEL 3 - I'VE GOT A GUN 7

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CH3

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🏷️ [Musician/band](#)

Additional contact info

🌐 <https://ch3store.bigcartel.com/>

✉️ ch3store@gmail.com

👁️ Typically replies within a few hours
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Channel 3 - The God That You
Deserve (Official Lyric Video)

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Live @ Observatory Santa Ana April 8 2017

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CH3 Catholic Boy

34K views • 13 years ago



One More For All My True Friends Credits



Manzanar Channel 3 1983

9.2K views • 15 years ago



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Description

Video channel for the band Channel 3

Stats

Joined Sep 18, 2006

114,395 views



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Red Bull Racing  @redbullracing · Apr 26, 2021

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💬 27 ↻ 338 ❤️ 7.5K ⬆

 **Channel 3** @CH_3 · Sep 14, 2020



Stoked to be sitting in with [@stonefilmsnyc](#) this Sunday for a chat!
#nyhc #a7 [instagram.com/p/CFH9zCcj-rg/...](https://www.instagram.com/p/CFH9zCcj-rg/)



Channel 3 @CH_3 · Aug 23, 2020



So nice to get out and sing one for our missed pal [#stevesoto](#) yesterday.
Now back to the couch! sos.saveourstages



instagram.com

Mike Magrann (@channelthree) • Instagram photo



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Channel 3 @CH_3 · Aug 22, 2020



Backstage in the Covid age....tune in 5pst for the [#nito](#) [#Saveourstages](#)
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[instagram.com/p/CENZw8Ej7o6/...](https://www.instagram.com/p/CENZw8Ej7o6/)



Channel 3 @CH_3 · Jun 5, 2020



Link in Bio [instagram.com/p/CBEBoHjfcL/...](https://www.instagram.com/p/CBEBoHjfcL/)



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The CH3 Blog

The Life and Times of the band Channel 3

THE CH3 BLOG BLOG FEED



The CH3 Blog



Escape from Manzanar

My Grandmother, Bachan, answered the knocking, only to find it wasn't knuckles upon door she heard, but a 11 x 17 placard being nailed into the clapboard siding of their Delano home. INSTRUCTIONS To ALL MEMBERS OF JAPANESE ANCESTORY it began, the print scrolling smaller as it continued down, the words shrinking as their intentions grew more ... [Continue reading](#)

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OCTOBER 13, 2021

In Search of Internal Combustion at the HoeDown

We get to the Port damn early, pulling into the backstage parking lot before the morning mist has yet to lift from the harbor. A huge tanker chugs past, like a block long condominium set adrift by a jolting shrug of the San Andreas fault. I pause a moment, guitar case in hand, as we unload. I squint ... [Continue reading](#)

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December 2014

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October 2014

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April 2014

March 2014

January 2014

December 2013

November 2013

September 2013

August 2013

July 2013

June 2013

May 2013

April 2013

February 2013

January 2013

December 2012

November 2012

October 2012

September 2012

June 2012

May 2012

April 2012

March 2012

February 2012

January 2012

December 2011

November 2011

October 2011

September 2011

August 2011

June 2011

May 2011

April 2011

March 2011

February 2011

January 2011

December 2010

November 2010

September 2010

August 2010

July 2010

June 2010

May 2010

[April 2010](#)

[March 2010](#)

[February 2010](#)

[January 2010](#)

[December 2009](#)

[November 2009](#)

[October 2009](#)

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Channel 3

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APR 21, 2021
Better Than This -
Single
1 Song

Top Songs

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Strength in Numbers
The Skinhead Years · 1994



I Got a Gun
The Skinhead Years · 1994



You Make Me Feel Che...
Posh-Hits, Vol. 1 · 1995



Wetspots
The Skinhead Years · 1994



Accident
The Skinhead Years · 1994



You Make Me Feel Cheap
The Skinhead Years · 1994

Albums



Put 'Em Up
2017



A Home for the Homeless
2016



To Whom It May Concern:
The 1981 Demos
2009



Channel 3
2002

Singles & EPs



Better Than This - Single
2021



The Bellwether - EP
2019



Not That It Matters - Single
2017



20 Hz - Single
2011



One More for All My True
Friends - Single
2008

Compilations



The Skinhead Years
1994

About Channel 3

A long-running West Coast punk band, Channel 3 went from playing parties in their

ORIGIN

hometown of Cerritos, California to international acclaim on their strength of their 1982 album, *Fear of Life*. Playing a robust variation on SoCal hardcore punk, Channel 3's first full-length became a classic in California punk circles and won them a following in the U.K. and Europe when a revised edition of the album was issued overseas as *I've Got a Gun*. In the mid-'80s, Channel 3 explored hard rock and metal influences on 1984's *Airborne* and 1985's *Last Time I Drank...*, releases that divided their fan base. After years away from the studio, the group returned to classic form on 2002's *CH3*, and four **MORE**

Cerritos, CA
FORMED
1980

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Agression



The Crowd



Government Issue



S.O.A.



D.I.



Zero Boys



D.O.A.



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Channel 3

Artist Overview

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Skinhead Years

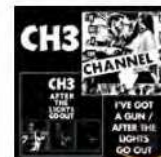
Channel 3



After the Lights Go Ou...

CHANNEL THREE

CD: \$9.98



I've Got a Gun / After...

CHANNEL 3



To Whom It May Concern...

CHANNEL 3



Last Time I Drank [Vin...

Songs

Sort by: **Bestselling**

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Sample this song

- | | | |
|----|--|------|
| 1 | I Got a Gun [Explicit] | 2:01 |
| 2 | Meetings of bosses [Explicit] | 4:39 |
| 3 | Better Than This | 2:56 |
| 4 | Manzanar [Explicit] | 2:08 |
| 5 | I've Got A Gun [Explicit] | 2:03 |
| 6 | Mannequin [Explicit] | 1:25 |
| 7 | You Make Me Feel Cheap (2019 Remaster) | 2:02 |
| 8 | I Didn't Know (2019 Remaster) | 4:51 |
| 9 | I'll Take My Chances [Explicit] | 2:37 |
| 10 | Catholic Boy [Explicit] | 2:33 |



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Channel 3

5,168 monthly listeners



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|----|--|--------------------------|---------|------|
| 1 | | Strength in Numbers | 236,037 | 1:25 |
| 2 | | I Got a Gun | 122,698 | 2:01 |
| 3 | | You Make Me Feel Cheap | 69,722 | 2:02 |
| 4 | | Mannequin | 45,742 | 1:24 |
| 5 | | The God That You Deserve | 69,304 | 2:35 |
| 6 | | Manzanar | 55,467 | 2:06 |
| 7 | | I Didn't Know | 27,082 | 4:51 |
| 8 | | Catholic Boy | 33,146 | 2:33 |
| 9 | | Wetspots | 26,280 | 0:57 |
| 10 | | Out of Control | 25,366 | 2:08 |

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Albums

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Put 'Em Up
2017 • Album



A Home for the Homeless
2016 • Album



To Whom It May Concern
2009 • Album



Channel 3
2002 • Album



The Skinhead Years
1988 • Album

Singles and EPs

SEE DISCOGRAPHY



Better Than This
2021 • Single



The Bellwether
2019 • EP



Not That It Matters
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20 Hz
2011 • Single



One More For All My True Friends
2008 • Single

Featuring Channel 3



This Is Channel 3

This is Channel 3. The essential tracks, all in one...



Channel 3 Radio

By Spotify

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Artist



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Artist



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Artist



Agression

Artist



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Artist

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Posh Boy Records Pres...

2014 • Album



No Future Complete Si...

2020 • Album



Cashing In On Christm...

2010 • Album



Posh Hits Vol. 1

1983 • Album



Disturbing But That's ...

2017 • Album

Discovered on

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Far Cry 5 Radio (Licen...

A mix of the licensed music as heard on the radios...



Stranger Things Sound...

Soundtrack and inspired tracks for Netflix Series...



Skate Rock - 80s Skat...

This list is inspired by Thrasher Magazine's Skate...



The Billy Hargrove Keg...

Songs I would've imagend that Billy Hargrove from...

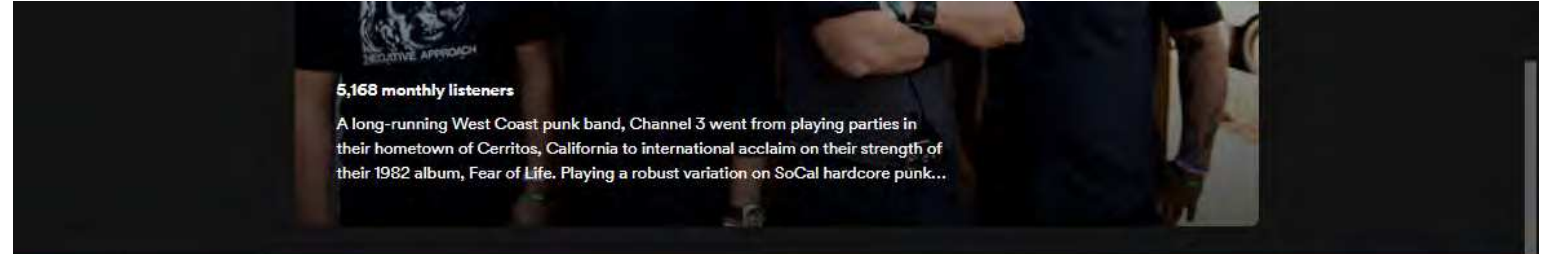


Far Cry 6 Official Playl...

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A long-running West Coast punk band, Channel 3 went from playing parties in their hometown of Cerritos, California to international acclaim on their strength of their 1982 album, *Fear of Life*. Playing a robust variation on SoCal hardcore punk...

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Channel 3

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6 Albums

A long-running West Coast punk band, Channel 3 went from playing parties in their hometown of Cerritos, California to international acclaim on their strength of their 1982 album, *Fea...* [Read More](#)

LATEST RELEASE



Better Than This (Si...

1 song
2021

ARTIST RADIO



Channel 3 Radio

Station

TOP SONGS

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I Didn't Know

The Skinhead Years (Expli...

4:51



You Make Me Feel ...

The Skinhead Years (Expli...

2:02



Catholic Boy

The Skinhead Y...

[E]

2:33



Can't Affor...

The Skinhead Y...

[E]

2:47



Don't Be Mistaken

Taking Out A Little Agres...

2:24



I'll Take My ...

The Skinhead Y...

[E]

2:37

TOP ALBUMS



The Skinhead Years...

27 songs

2009 [E]



To Whom It May C...

13 songs

2009 [E]



CH3

13 songs

2002



The Bellwether (Ex...

5 songs

2019 [E]



One More For All ...

1 song

2008



Better Than This (Si...

1 song

2021



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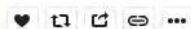
Channel 3
Better Than This

9 months ago

#Punk



2:56

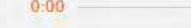


7

Channel 3
Indian Summer

12 years ago

#Punk



7

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0:00

4:34

STX ENTERTAINMENT
01 Dragon RacingChannel 3
Waiting in the Wings

12 years ago

#Punk



1:14



2

Channel 3
What About Me?

12 years ago

#Punk



1:53



18



0:00

4:34

STX ENTERTAINMENT
01 Dragon Racing

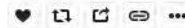
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Channel 3
How Come?

12 years ago

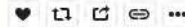
#Punk



Channel 3
I'll Take My Chances

12 years ago

#Punk



▶ 3



0:00

4:34

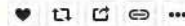


STX ENTERTAINMENT
01 Dragon Racing



Strength in Numbers

#Punk



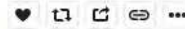
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Channel 3
Double Standard Boys

12 years ago

#Punk



▶ 3



Channel 3
After the Lights Go Out

12 years ago

#Punk



0:00

4:34



STX ENTERTAINMENT
01 Dragon Racing



Channel 3
Separate Peace

12 years ago

#Punk



▶ 4



Channel 3
Accident

12 years ago

#Punk



▶ 1



Channel 3
Fear of Life

12 years ago

#Punk





Channel 3
Manzanar

12 years ago
#Punk



2:06

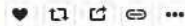


Channel 3
Truth and Trust

12 years ago
#Punk

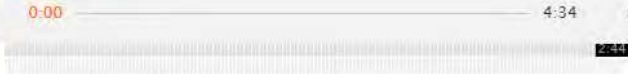


3:01



Channel 3
All My Dreams

12 years ago
#Punk



2:44

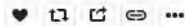


Channel 3
Life Goes On

12 years ago
#Punk



1:54



Channel 3
I Wanna Know Why

12 years ago
#Punk



2:19



1:24



Channel 3
Wetspots

12 years ago
#Punk



0:57

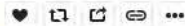


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CH3

Word Mark CH3
Goods and Services IC 009. US 021 023 026 036 038. G & S: Musical sound recordings; Musical video recordings; Compact discs featuring music; Digital music downloadable from the Internet; Phonograph records featuring music. FIRST USE: 19810500. FIRST USE IN COMMERCE: 19810500
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 90866264

Filing Date August 5, 2021

Current Basis 1A

Original Filing Basis 1A

Owner (APPLICANT) Kimm Gardener INDIVIDUAL UNITED STATES 2651 Tulane Ave Long Beach CALIFORNIA 90815
 (APPLICANT) Michael Magrann INDIVIDUAL UNITED STATES 305 15th Street Seal Beach CALIFORNIA 90740

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Mark: CH3

CH3

US Serial Number: 90866264

Application Filing Date: Aug. 05, 2021

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Awaiting Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and has not yet been assigned to an examiner.

Status: New application will be assigned to an examining attorney approximately 6 months after filing date.

Status Date: Sep. 29, 2021

Mark Information

Mark Literal Elements: CH3

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Musical sound recordings; Musical video recordings; Compact discs featuring music; Digital music downloadable from the Internet; Phonograph records featuring music

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: May 1981

Use in Commerce: May 1981

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Kimm Gardener

Owner Address: 2651 Tulane Ave

Long Beach, CALIFORNIA UNITED STATES 90815

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Owner Name: Michael Magrann

Owner Address: 305 15th Street
Seal Beach, CALIFORNIA UNITED STATES 90740

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: KIMM GARDENER
2651 TULANE AVE
LONG BEACH, CALIFORNIA UNITED STATES 90815

Phone: 818-402-1093

Correspondent e-mail: CH3trademark@outlook.com MDanner@sheppar
dmullin.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 29, 2021	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 09, 2021	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

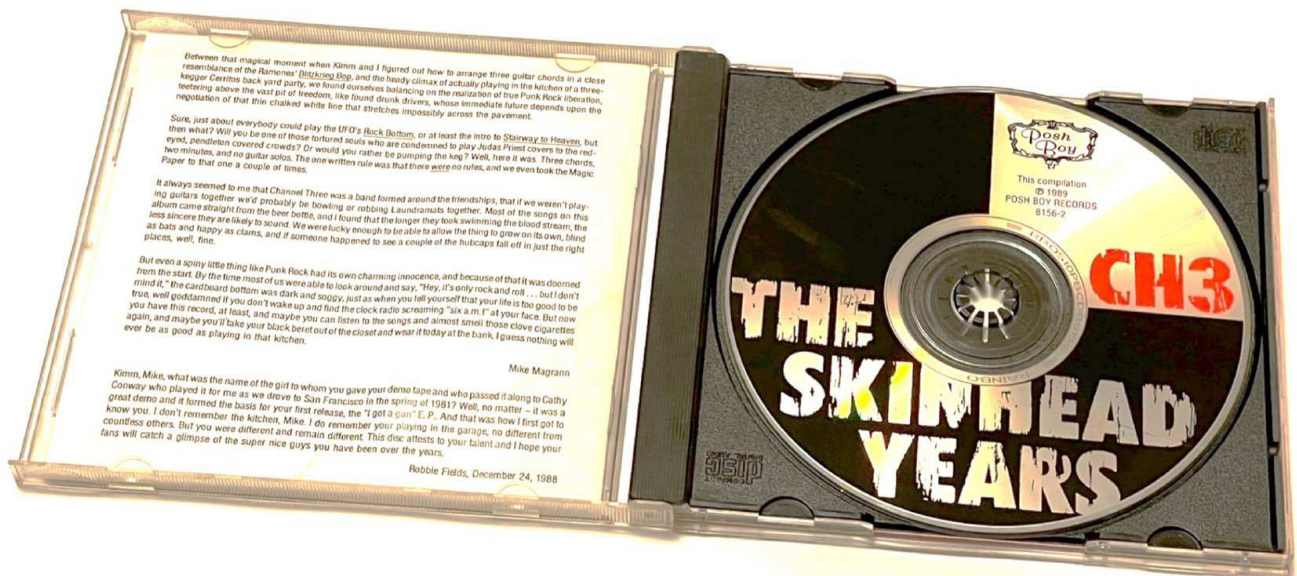
TM Staff Information - None

File Location

Current Location: NEW APPLICATION PROCESSING

Date in Location: Sep. 29, 2021







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CH3

Word Mark CH3

Goods and Services IC 041. US 100 101 107. G & S: Entertainment services, namely, providing non-downloadable prerecorded music via a website; Live performances by a musical group; On-line journals, namely, blogs featuring articles and columns about music, entertainment, travel, current events, and topics of general interest; Providing information in the field of music and entertainment via a website; Providing online non-downloadable videos in the field of music. FIRST USE: 19810500. FIRST USE IN COMMERCE: 19810500

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 90866267

Filing Date August 5, 2021

Current Basis 1A

Original Filing Basis 1A

Owner (APPLICANT) Kimm Gardener INDIVIDUAL UNITED STATES 2651 Tulane Ave Long Beach CALIFORNIA 90815
 (APPLICANT) Michael Magrann INDIVIDUAL UNITED STATES 305 15th Street Seal Beach CALIFORNIA 90740

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Mark: CH3

CH3

US Serial Number: 90866267

Application Filing Date: Aug. 05, 2021

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Awaiting Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and has not yet been assigned to an examiner.

Status: New application will be assigned to an examining attorney approximately 6 months after filing date.

Status Date: Sep. 29, 2021

Mark Information

Mark Literal Elements: CH3

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

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- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Entertainment services, namely, providing non-downloadable prerecorded music via a website; Live performances by a musical group; On-line journals, namely, blogs featuring articles and columns about music, entertainment, travel, current events, and topics of general interest; Providing information in the field of music and entertainment via a website; Providing online non-downloadable videos in the field of music

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: May 1981

Use in Commerce: May 1981

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Kimm Gardener

Owner Address: 2651 Tulane Ave
Long Beach, CALIFORNIA UNITED STATES 90815

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Owner Name: Michael Magrann

Owner Address: 305 15th Street
Seal Beach, CALIFORNIA UNITED STATES 90740

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: KIMM GARDENER
2651 TULANE AVE
LONG BEACH, CALIFORNIA UNITED STATES 90815

Phone: 818-402-1093

Correspondent e-mail: CH3trademark@outlook.com MDanner@sheppar
dmullin.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 29, 2021	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 09, 2021	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

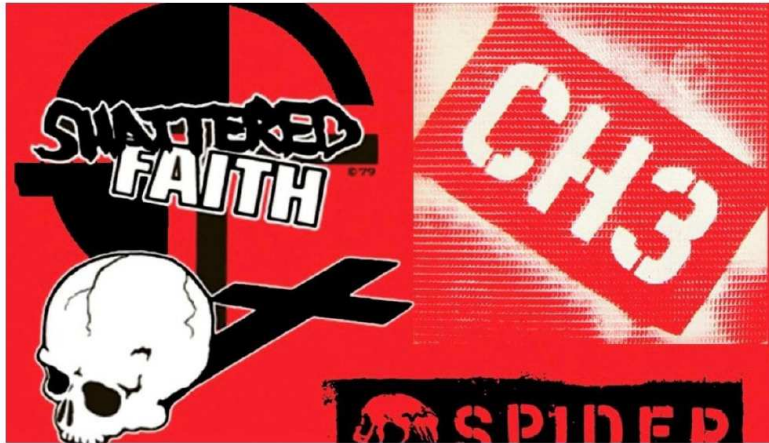
Current Location: NEW APPLICATION PROCESSING

Date in Location: Sep. 29, 2021

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